

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

WILLIAM WOODIE,	:	
Plaintiff,	:	
vs.	:	Case No. 3:06cv319
MICHAEL J. ASTRUE,	:	District Judge Thomas M. Rose
Commissioner of the Social	:	Magistrate Judge Sharon L. Ovington
Security Administration,	:	
Defendant.	:	

ORDER

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. # 9), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on January 30, 2008 (Doc. # 9) is ADOPTED in full;
2. The Commissioner's non-disability finding is vacated;
3. No finding is made as to whether Plaintiff William Woodie is under a "disability" within the meaning of the Social Security Act;
4. This case is remanded to the Commissioner and the Administrative Law Judge under Sentence Four of 42 U.S.C. §405(g); and

5. The case is terminated on the docket of this Court.

February 15, 2008

s/THOMAS M. ROSE

Thomas M. Rose
United States District Judge